

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE AMENDMENTS: **OAKWOOD LANDS (LGA 2004-00021)**, MODIFYING PAGE 7 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 185 ACRES, GENERALLY LOCATED APPROXIMATELY .50 MILE NORTH OF INDIANTOWN ROAD AND .25 MILE WEST OF THE FLORIDA TURNPIKE, FROM RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) TO RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (RR-5); **GAMOT / CHARNOCK / VEINS NATURAL AREA (LGA 2004-00019)**, MODIFYING PAGE 8 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 15.90 ACRES, GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CENTRAL BOULEVARD AND CHURCH STREET AND 6.85 ACRES ON THE SOUTH SIDE OF 1<sup>ST</sup> STREET, APPROXIMATELY 400 FEET EAST OF LIMESTONE CREEK ROAD, FROM MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5) TO CONSERVATION (CON); **CONGRESS AVENUE / HOLLY ROAD II (LGA 2004-00022)**, MODIFYING PAGE 65 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR 6.54 ACRES, GENERALLY LOCATED ON THE EAST SIDE OF CONGRESS AVENUE, APPROXIMATELY 150 FEET SOUTH OF HOLLY ROAD AND 1.5 MILES SOUTH OF SUMMIT BOULEVARD, FROM COMMERCIAL LOW (CL) TO COMMERCIAL HIGH, WITH UNDERLYING 5 UNITS PER ACRE (CH/5); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on February 20 & 27 and March 12, 2004 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 5, 2004 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1           WHEREAS, Palm Beach County received on June 28, 2004 the  
2 Department of Community Affairs "Objections, Recommendations, and  
3 Comments Report," dated June 19, 2004 which was the Department's  
4 written review of the proposed Comprehensive Plan amendments; and

5           WHEREAS, the written comments submitted by the Department of  
6 Community Affairs contained no objections to the amendments contained  
7 in this ordinance; and

8           WHEREAS, on August 24, 2004 the Palm Beach County Board of County  
9 Commissioners held a public hearing to review the written comments  
10 submitted by the Department of Community Affairs and to consider  
11 adoption of the amendments; and

12           WHEREAS, the Palm Beach County Board of County Commissioners has  
13 determined that the amendments comply with all requirements of the  
14 Local Government Comprehensive Planning and Land Development  
15 Regulations Act.

16           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18           Part I. Amendments to the Future Land Use Atlas of the Land Use  
19 Element of the 1989 Comprehensive Plan

20           The following amendments to the Land Use Element's Future Land  
21 Use Atlas are hereby adopted and attached to this Ordinance:

22           A.   Future Land Use Atlas page 7 is amended as follows:

23           Application No.:       Oakwood Lands (LGA 2004-00021)

24           Amendment:           From Rural Residential, 1 unit per 10 acres  
25                                   (RR-10) to Rural Residential, 1 unit per 5  
26                                   acres (RR-5);

27           General Location:      Approximately .50 mile north of Indiantown  
28                                   Road and .25 mile west of the Turnpike;

29           Size:                 Approximately 185 acres;

30           B.   Future Land Use Atlas page 8 is amended as follows:

31           Application No.:       Gamot / Charnock / Veins Natural Area (LGA  
32                                   2004-00019)

33           Amendment:           From Medium Residential, 5 units per acre  
34                                   (MR-5) to Conservation (CON);



1           **General Location:**       Southwest corner of Central Boulevard and  
2                                       Church Street (approximately 15.90 acres);  
3                                       and on the south side of 1<sup>st</sup> Street,  
4                                       approximately 400 feet east of Limestone  
5                                       Creek Road (approximately 6.85 acres);

6           **Size:**                       Approximately 22.40 acres;

7           **C.     Future Land Use Atlas page 65 is amended as follows:**

8           **Application No.:**       Congress Avenue / Holly Road II (LGA 2004-  
9                                       00022),

10          **Amendment:**           From Commercial Low (CL) to Commercial  
11                                       High, with underlying 5 units per acre  
12                                       (CH/5);

13          **General Location:**   East side of Congress Avenue, approximately  
14                                       150 feet south of Holly Road and 1.5 miles  
15                                       south of Summit Boulevard;

16          **Size:**                       Approximately 6.54 acres;

17          **Part II. Repeal of Laws in Conflict**

18           All local laws and ordinances applying to the unincorporated area  
19           of Palm Beach County in conflict with any provision of this ordinance  
20           are hereby repealed to the extent of such conflict.

21          **Part III. Severability**

22           If any section, paragraph, sentence, clause, phrase, or word of  
23           this Ordinance is for any reason held by the Court to be  
24           unconstitutional, inoperative or void, such holding shall not affect  
25           the remainder of this Ordinance.

26          **Part IV. Inclusion in the 1989 Comprehensive Plan**

27           The provision of this Ordinance shall become and be made a part  
28           of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
29           Ordinance may be renumbered or relettered to accomplish such, and the  
30           word "ordinance" may be changed to "section," "article," or any other  
31           appropriate word.

32          **Part V. Effective Date**

33           The effective date of this plan amendment shall be the date a  
34           final order is issued by the Department of Community Affairs or  
35           Administration Commission finding the amendment in compliance in

1 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is  
2 applicable. No development orders, development permits, or land uses  
3 dependent on this amendment may be issued or commence before it has  
4 become effective. If a final order of noncompliance is issued by the  
5 Administration Commission, this amendment may nevertheless be made  
6 effective by adoption of a resolution affirming its effective status,  
7 a copy of which resolution shall be sent to the Florida Department of  
8 Community Affairs, Division of Community Planning, Plan Processing  
9 Team. An adopted amendment whose effective date is delayed by law  
10 shall be considered part of the adopted plan until determined to be  
11 not in compliance by final order of the Administration Commission.  
12 Then, it shall no longer be part of the adopted plan unless the local  
13 government adopts a resolution affirming its effectiveness in the  
14 manner provided by law.

15 APPROVED AND ADOPTED by the Board of County Commissioners of  
16 Palm Beach County, on the 24 day of August, 2004.

17  
18 ATTEST: DOROTHY H. WILKINSON, Clerk  
19  
20

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

21  
22 By: [Signature]  
23 Deputy Clerk  
24

By: [Signature]  
Karen T. Marcus, Chair

25 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

26  
27 [Signature]  
28 COUNTY ATTORNEY  
29

30 Filed with the Department of State on the 30 day  
31 of August, 2004.  
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33  
34  
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EXHIBIT 1

A. Future Land Use Atlas page 7 is amended as follows:

**Amendment No.:** Oakwood Lands (2004-00021 LGA)

**Amendment:** Rural Residential, 1 unit per 10 acres (RR-10) to Rural Residential, 1 unit per 5 (RR-5)

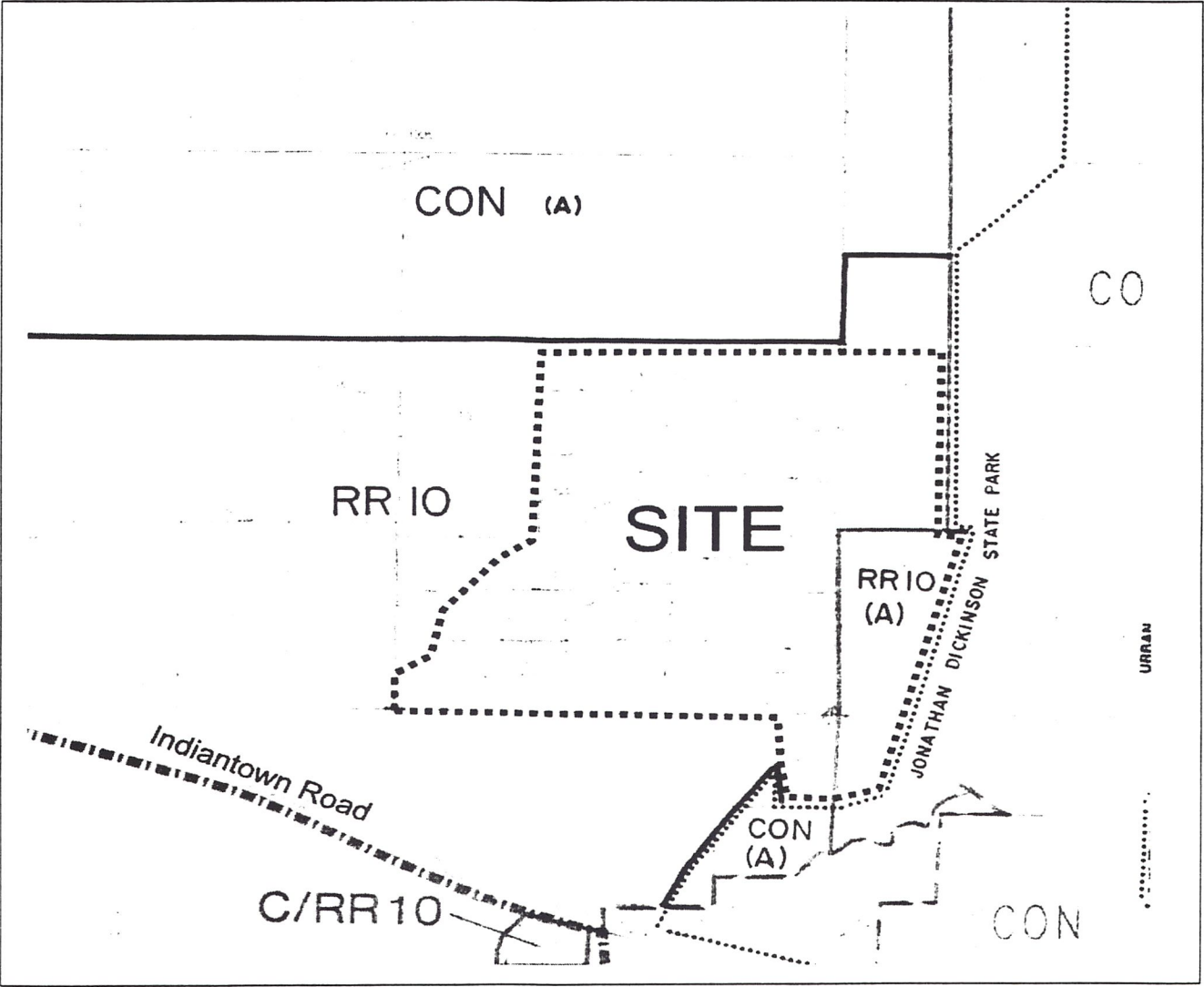
**Location:** Approximately .50 mile north of Indiantown Road, and .25 mile west of the Florida Turnpike

**Size:** Approximately 185 acres

**Legal Description:** The Southeast one-quarter (SE1/4) of Section 31, Township 40, Range 42; and the West one-half (W1/2) of the Southwest one-quarter of Section 32, Township 40, Range 42.

**Property No:**

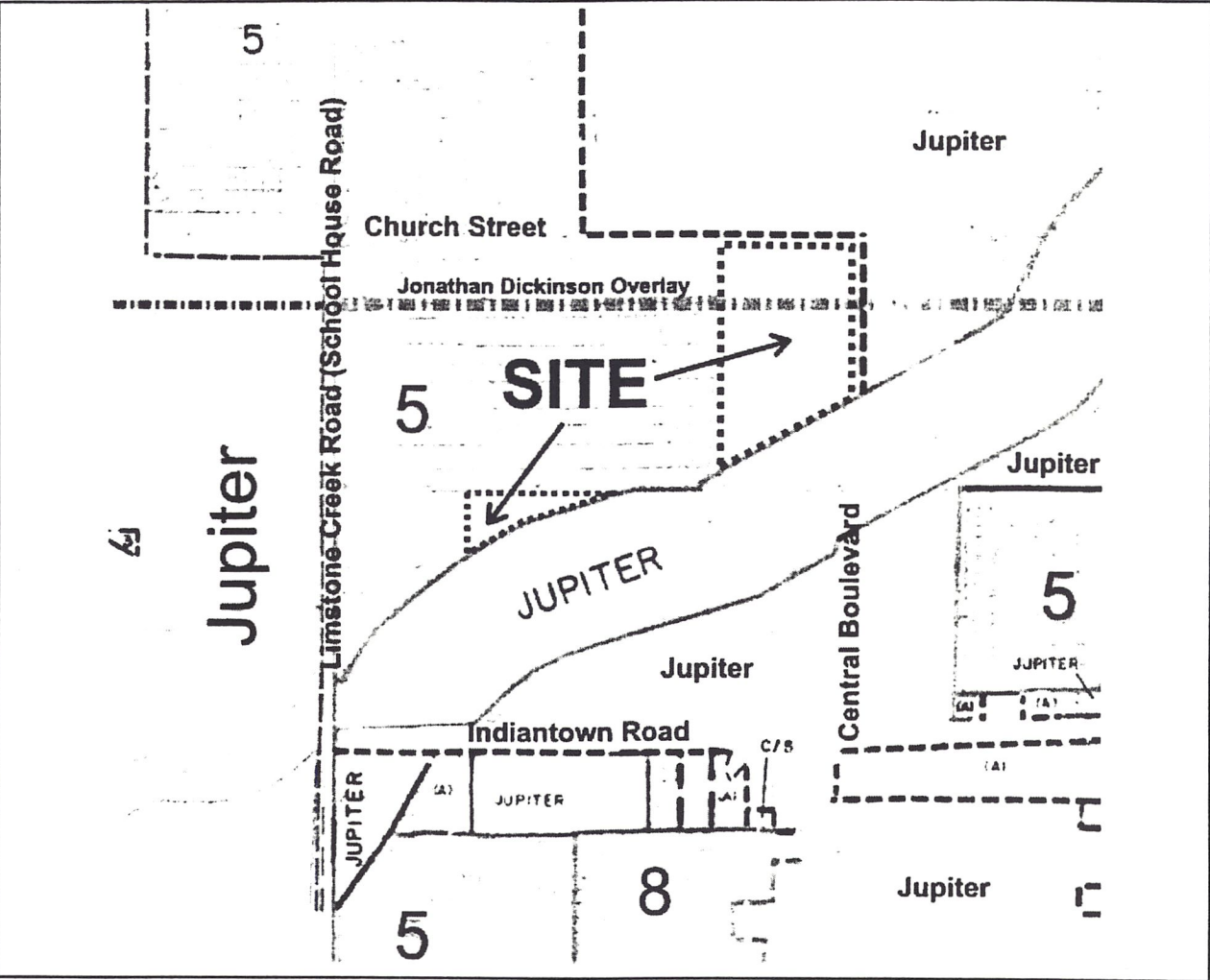
00-42-40-31-00-000-5010	00-42-40-31-00-000-5210
00-42-40-31-00-000-5020	00-42-40-31-00-000-5220
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00-42-40-31-00-000-5040	00-42-40-31-00-000-5240
00-42-40-31-00-000-5050	00-42-40-31-00-000-5250
00-42-40-31-00-000-5060	00-42-40-31-00-000-5260
00-42-40-31-00-000-5070	00-42-40-31-00-000-5270
00-42-40-31-00-000-5080	00-42-40-32-00-000-7020
00-42-40-31-00-000-5090	00-42-40-32-00-000-7160
00-42-40-31-00-000-5100	00-42-40-32-00-000-7170
00-42-40-31-00-000-5110	00-42-40-32-00-000-7280
00-42-40-31-00-000-5120	00-42-40-32-00-000-7290
00-42-40-31-00-000-5130	00-42-40-32-00-000-7300
00-42-40-31-00-000-5140	00-42-40-32-00-000-7310
00-42-40-31-00-000-5150	00-42-40-32-00-000-7320
00-42-40-31-00-000-5180	00-42-41-05-00-000-3040
00-42-40-31-00-000-5190	00-42-41-05-00-000-3130
00-42-40-31-00-000-5200	00-42-41-06-00-000-1010





B. Future Land Use Atlas page 8 is amended as follows:

- Amendment No.:** Gamot/Charnock/Veins Natural Area (LGA 2004-00019)
- Amendment:** From Medium Residential, 5 units per 1 acre (MR-5), to Conservation (CON)
- Location:** Southwest corner of Central Boulevard and Church Street (approximately 15.90 acres); and on the south side of 1<sup>st</sup> Street, approximately 400 feet east of Limestone Creek Road (approximately 6.85 acres)
- Size:** Approximately 22.75 acres total
- Property No.:** 00-42-41-03-07-026-0000, 00-42-41-03-07-027-0000 (15.90 acres)  
00-42-41-03-00-000-3070 (6.85 acres)



C. Future Land Use Atlas page 65 is amended as follows:

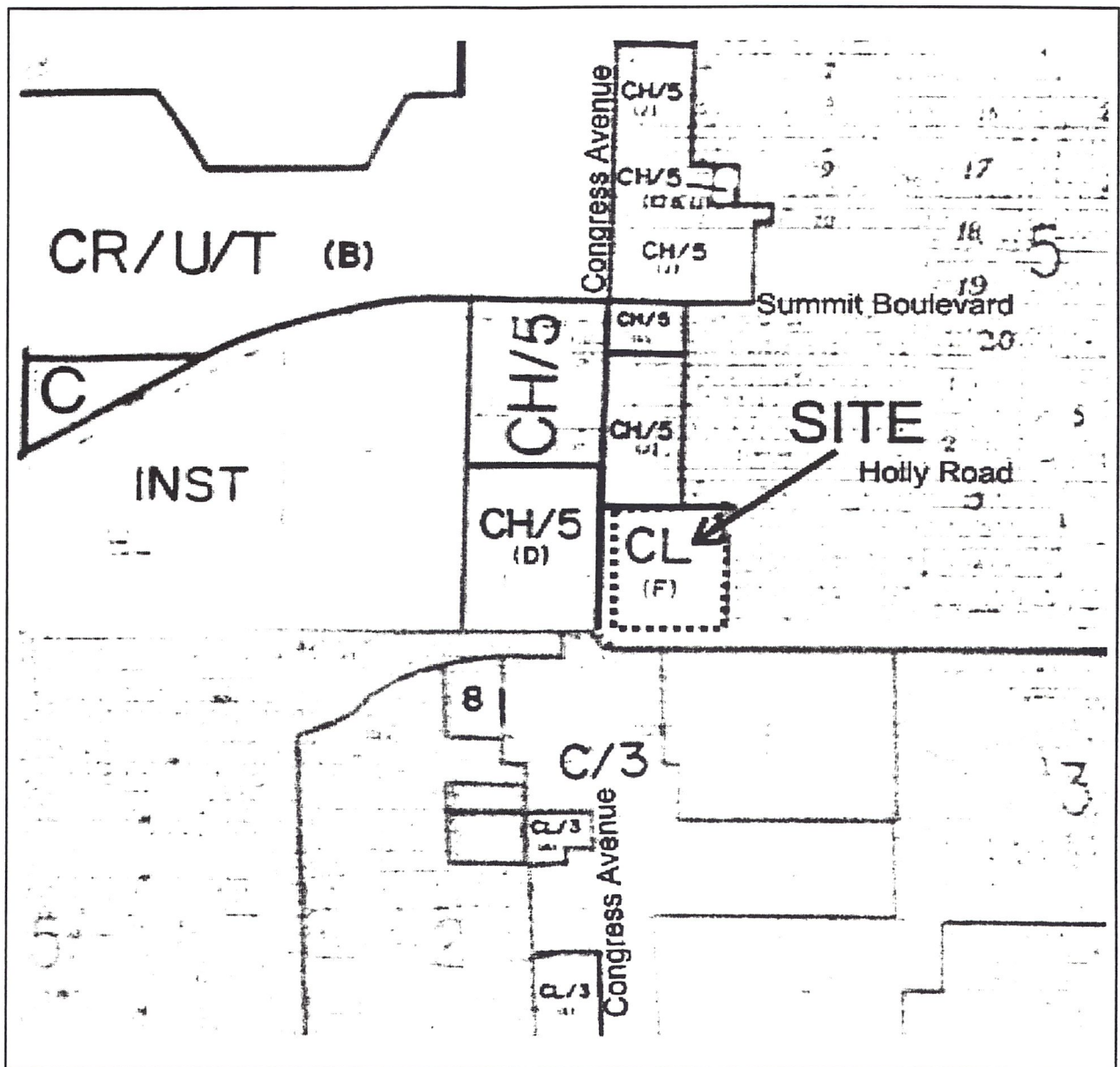
**Amendment No.:** Congress Avenue/Holly Road II (LGA 2004-00022)

**Amendment:** Commercial Low (CL) to Commercial High, with underlying 5 units per acre (CH/5)

**Location:** East side of Congress Avenue, approximately 150 feet south of Holly Road and 1.5 miles south of Summit Blvd.

**Size:** Approximately 6.54 acres (combined)

**Property No.:** 00-44--05-00-000-7010 & 00-44-05-00-000-7030



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on August 24, 2004  
DATED at West Palm Beach, FL on 10/24/14  
DOROTHY H. WILKEN, Clerk  
By: Deanne Brown D.C.